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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) CASE NO. 09-02308 WHA  
14 Plaintiff, )  
15 v. ) CASE MANAGEMENT CONFERENCE ORDER  
16 APPROXIMATELY \$8,800 IN AMERICAN ) STATEMENT; AND PROPOSED JUDGMENT OF  
17 EXPRESS TRAVELERS' CHECKS; AND ) FORFEITURE AND DISMISSAL  
18 ONE PENTAX 35MM CAMERA, SERIAL )  
NUMBER 1318242, )  
19 Defendant. )  
20

21 Plaintiff, United States of America, and claimant Gary Hardeman respectfully submit this Joint  
22 Case Management Statement.

23 On July 18, 2013, claimant pled guilty to one count of committing a felony offense involving a  
24 minor while under a duty to register as a sex offender, in violation of 18 U.S.C. § 2260A. United States  
25 v. Gary Lee Hardeman, CR 10-0859 RS, Docket No. 337. As a part of that plea, claimant agreed to pay  
26 restitution to Rebecca Graham in an amount to be determined at sentencing, of which \$8,800 will be  
27 paid from the defendant currency in this case. Id. at 4:19-26. Claimant renounced any claim of

28 CMC STATEMENT AND ORDER  
~~PROPOSED JUDGMENT OF FORFEITURE~~  
AND DISMISSAL  
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1 ownership to the defendant \$8,800 or defendant camera and consented to their forfeiture. Id. at 5:24-  
2 6:11. On October 22, 2013, claimant was ordered to pay restitution in the amount of \$8,800. United  
3 States v. Gary Lee Hardeman, CR 10-0859 RS, Docket No. 343.

4 Given the terms of the plea agreement, the parties hereby agree to and respectfully request:

5 (1) forfeiture of the defendant camera;

6 (2) an Order directing the United States turn over the defendant \$8,800 to the United States

7 Clerk of Courts for application toward claimant's restitution order in United States v. Gary  
8 Lee Hardeman, CR 10-0859 RS;

9 (3) dismissal of the instant action without prejudice.

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11 Dated: 10/25/13

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13 /s/  
14 DANIEL PAUL BLANK  
15 Attorney for Claimant

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17 Dated: 10/25/13

18 \_\_\_\_\_  
19 /s/  
20 DAVID B. COUNTRYMAN  
21 Assistant United States Attorney

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28 CMC STATEMENT AND ORDER  
~~PROPOSED JUDGMENT OF FORFEITURE~~  
AND DISMISSAL  
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1 ORDER  
2 ~~PROPOSED~~ JUDGMENT OF FORFEITURE AND DISMISSAL

3 UPON CONSIDERATION of the plea agreement and judgment in United States v. Gary Lee  
4 Hardeman, CR 10-0859 RS, the case management statement submitted herewith, the entire record, and  
5 for good cause shown, it is by the Court on this eighth day of November, 2013,

6 ORDERED, ADJUDGED AND DECREED that One Pentax 35mm Camera, Serial Number  
7 1318242 be, and hereby is, FORFEITED to the United States for disposition by the United States in  
8 accordance with law; it is

9 FURTHER ORDERED that the United States shall turn over to the United States Clerk of Courts  
10 the \$8,800 in funds seized from claimant for application toward claimant's restitution order in United  
11 States v. Gary Lee Hardeman, CR 10-0859 RS. The funds shall be made payable to the "Clerk of the  
12 Court, Northern District of California," and it is

13 FURTHER ORDERED that the instant case be, and hereby is, DISMISSED without prejudice.

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15 Dated: November 8, 2013.  
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17 WILLIAM H. ALSUP  
18 United States District Judge  
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